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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,149	12/15/2003	Young-Dong Nam	SAM-0476	6342
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Steven M. Mills MILLS & ONELLO LLP Suite 605 Eleven Beacon Street Boston, MA 02108		EXAMINER LE, JOHN H		
		ART UNIT PAPER NUMBER		
		2863		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/737,149

Applicant(s)

NAM, YOUNG-DONG

Examiner

John H. Le

Art Unit

2863

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 January 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-6.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because: -Applicant argues that the prior did not teach "A filter characteristic measuring method, comprising the steps of: generating an impulse signal; applying the impulse signal to a DUT (Device Under Test) having an analog filter through a digital channel; and in response to the impulse signal, measuring a gain of the analog filter in the DUT and a frequency characteristic by using an output of the analog filter for testing an operation of the DUT in at least one of a test procedure and a product test" as cited in claim 1.

Examiner position is that Morton discloses a filter characteristic measuring method (e.g. Col.2, lines 39-40), comprising the steps of: (test signal generator 2602) generating an impulse signal (e.g. Fig.26, Col.24, lines 63-66, Col.25, lines 23-28); applying the impulse signal (from test signal generator 2602) to an analog filter (equalizer filter 2603) (e.g. Figs.14, 26, Col.25, lines 23-28); and measuring a gain of the analog filter (equalizer filter) and a frequency characteristic by using an output of the analog filter (equalizer filter) (e.g. Col.19, lines 7-11) for testing an operation of the DUT (test unit) in a product test (e.g. Col.31, lines 8-32).

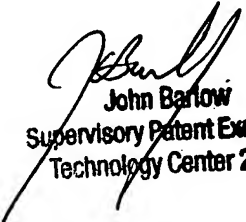
Although Morton is silent on the teaching of applying the impulse signal to a DUT having an analog filter (equalizer filter) through a digital channel and measuring a gain of the analog filter (equalizer filter) in the DUT, however it would have been obvious to one of ordinary skill at the time the invention was made to teach the analog filter (equalizer filter) inside the DUT and applying the impulse signal to a DUT having an analog filter (equalizer filter) through a digital channel since the impulse test waves generated by the test signal generator 2602 pass to the equalizer 2603 and from the equalizer 2603 to a sample and hold circuit 2604 which samples the amplitude of the resulting impulse at an instant during the occurrence of the impulse (Col.25, lines 23-28) can be used for obtaining a product test as intended.

-Applicant argues that the prior did not teach "An analog filter characteristic measuring method, comprising: applying an impulse signal to an equalizing filter by using a digital channel of an automatic tester, and then obtaining an output response of the equalizing filter and performing a differential and a fast Fourier transform (FFT) operation on the output response of the equalization filter so as to measure a boosting gain and a frequency response for testing an operation of the equalizing filter in at least one of a test procedure and a product test" as cited in claim 3.

Examiner position is that Morton discloses an analog filter (equalizing filter) characteristic measuring method (e.g. Col.2, lines 39-40), comprising: applying an impulse signal (from test signal generator 2602) to an equalizing filter (2603) by using a digital channel of an automatic tester (test signal generator 2602) (e.g. Figs.14, 26, Col.25, lines 23-28), and performing a differential and a fast Fourier transform (FFT) operation on the output response of the equalization filter (e.g. Col.27, lines 1-40) so as to measure a boosting gain and a frequency response for testing an operation of the equalizing filter (e.g. Col.14, lines 30-37, Col.19, lines 7-11, Col.31, lines 56-57) in a product test (e.g. Col.31, lines 8-32).

-Applicant argues that the prior did not teach " A system for measuring a characteristic of a filter in a DUT employing an analog filter, said system comprising: a digital channel for providing an impulse signal without applying a sine wave to the analog filter of the DUT; a digitizer for receiving an output signal of the analog filter in response to the impulse signal so as to measure the characteristic of the filter " as cited in claim 4.

Examiner position is that Behrens et al. disclose a system for measuring a characteristic of a filter in a DUT employ an analog filter (equalizing filter 26) (e.g. Col.2, lines 55-60), said system comprising: a digital channel (22) for providing an impulse signal (a binary sequence $b(n)$ 8) without applying a sine wave to the analog filter (20) of the DUT (e.g. Fig.2, Col.4, lines 34-49, Col.4, line64-Col.5, lines 57); a digitizer (26) for receiving an output signal of the analog filter (22) in response to the impulse signal so as to measure the characteristic of the filter (e.g. Fig.2, Col.4, lines 34-49, Col.4, line 64-Col.5, lines 57); controller (50) for controlling the digital channel (22).


John Barlow
Supervisory Patent Examiner
Technology Center 2800